

# Board of Supervisors Agenda

Room 301, Hall of Records  
2281 Tulare Street  
Fresno, California 93721-2198  
Telephone: (559) 488-3529  
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Chairman  
**Deran Koligian**  
1st District

Vice Chairman  
**Bob Waterston**  
5th District

**Susan B. Anderson**  
2nd District

**Bart Bohn**  
County Admin. Officer

**Juan Arambula**  
3rd District

**Phillip S. Cronin**  
County Counsel

**Judith G. Case**  
4th District

**Shari Greenwood**  
Clerk

## ACTION SUMMARY MINUTES

**TUESDAY**

**AUGUST 21, 2001**

**9:00 A.M.**

### **PLEDGE OF ALLEGIANCE**

1. Presentation of Retirement Plaques:
  - a. Mary Harguindeguy - Fresno County Library for 31 years of service
  - b. Kenneth Kemmerer - Human Services System, Adult Services for 33 years of service
  - c. Vernon Willems - Human Services System, Adult Services for 27 years of service
  - d. Robert Wilson - Sheriff's Department for 30 years of service

### **PRESENTED**

#### **Supervisor Koligian**

2. Proclaim September 2001, as Anemia Prevention Month

**CAnWK A**  
**(ab)**

#### **APPROVED AS RECOMMENDED; ADOPTED RESOLUTION 01-429**

3. **Morning Consent Agenda - Item Numbers 17-37**  
(These matters are routine in nature, appear on colored pages, and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item)

**AnCWK A**  
**(ab)**

#### **APPROVED AS RECOMMENDED WITH INCLUSION OF ADDENDUM AND WITH EXCEPTION OF ITEM NOS. 26 AND 37b WHICH WERE PULLED FOR DISCUSSION, ITEM NO. 27 WHICH WAS PULLED FOR A SEPARATE VOTE AND ITEM NO. 37g WHICH WAS PULLED FROM THE AGENDA**

AnWCK A                    **APPROVED ITEM NO. 26 AS RECOMMENDED**  
(ab)

AnWK A    C                **APPROVED ITEM NO. 27 AS RECOMMENDED**  
(ab)(abst)

AnWCK A                    **APPROVED ITEM NO. 37b AS RECOMMENDED**  
(ab)

**Administrative Office**

4.      Oral presentation regarding Juvenile Justice Campus Sites

**HELD**

5.      **Board of Supervisors' Committee Reports** - Receive and provide direction  
(This item reserved for committee reports by members of the Board of Supervisors)

**HELD**

6.      **Board Appointments:** (List attached in packet and posted on bulletin board outside of  
Board Chambers)

Alcohol & Drug Advisory Board

**APPOINTED ALLEN MIDDLETON, Ph.D.**

Assessment Appeals Board

**REAPPOINTED LARRY M. JORGE**

West Fresno County Red Scale Protective District

**REAPPOINTED DAVID F. HINES**

Workforce Investment Board

**REAPPOINTED DOUGLAS-BRUCE HEUSSER, ALICE SAVIEZ  
AND LEE R. SCHULTZ**

AnCWK A                    **APPROVED APPOINTMENTS AND REAPPOINTMENTS**  
(ab)

7. **Closed Session**

- a. Conference with Legal Counsel - Initiation of Litigation (GC 54956.9 (c))  
2 cases (one case deleted from the agenda)

**WITH FOUR BOARD MEMBERS PRESENT, THE BOARD VOTED UNANIMOUSLY TO AUTHORIZE COUNTY COUNSEL TO BRING A LAWSUIT AGAINST THE STATE OF CALIFORNIA AND THE STATE DEPARTMENT OF WATER RESOURCES TO INVALIDATE THE PROPOSED MOU WITH SOUTHERN CALIFORNIA EDISON CO. THAT WOULD CREATE A CONSERVATION EASEMENT OF OVER 20,000 ACRES IN THE SHAVER LAKE AREA AND TO SEEK A DECLARATORY RELIEF AGAINST THOSE TWO DEFENDANTS ON THE BASIS THAT THE CONSERVATION EASEMENT INTERFERES UNLAWFULLY WITH THE CONSTITUTIONAL STATUTORY AND CHARTER POLICE POWERS OF THE COUNTY OF FRESNO REGARDING LAND USE MATTERS**

- b. Conference with Legal Counsel - Significant Exposure to Litigation  
(GC 54956.9 (b)) 1 case

**DELETED FROM THE AGENDA**

- c. Conference with Legal Counsel - Existing Litigation (GC 54956.9 (a))  
Bonanno v. Central Contra Costa Transit Authority  
[2001 Cal.App. LEXIS 462, 107 Cal.Rpt. 916 (6/18/01)]  
Request for appellate amicus curiae support

**WITH FOUR BOARD MEMBERS PRESENT, THE BOARD VOTED UNANIMOUSLY TO AUTHORIZE FRESNO COUNTY TO JOIN AMICUS CURIAE IN THE BONANNO V CENTRAL CONTRA COSTA TRANSIT AUTHORITY 2001 CAL.APP. LEXIS 462**

- d. Conference with Labor Negotiator (GC 54957.6): Agency Negotiator:  
Janet L. Coleman, Ralph Jimenez, Employee Organization: SEIU -  
Local 535, Units 2, 3, 4, 11, 12, 22, 31, & 36

**HELD**

- e. Conference with Real Property Negotiator - (GC 54956.8) Conference to provide direction to Bart Bohn, County Administrative Officer, regarding site selection for new Juvenile Justice Campus  
Property Descriptions:

APNOWNER

327-021-55S & 56S	Alfred Coelho, Jr. & Alfred Coelho Jr. Trustee
330-200-03S & 330-050-23S	Producers Holding Company
316-21-10	George & Desa Belyea Trustees, Walter & Barbara Cucuk et al
314-061-39S & 40	Redwood Farms, Inc.
340-060-05 & 06	Bill & Georgia Cucuk, et al & Charles Adams
340-60-24	Russell Sugimoto, et al & Takashi Sugimoto Trustees
340-060-31	Alfred & Florence Schmall
340-060-41	Susie Topjian, et al & Aram Topjian

**HELD****NOON RECESS**

2:00 P.M.

8. **Afternoon Consent Agenda - Item Numbers 38-47**  
(These matters are routine in nature, appear on colored pages, and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item)

**CAnWK A**  
**(ab)** **APPROVED AS RECOMMENDED**  
**Administrative Office**

9. Hearing to consider and take action on resolution approving vacation of alleys in Block 3 of Raisin City and Villa Lots subdivision in unincorporated community of Raisin City, Vacation Application No. V00-02

**CAnWK A**  
**(ab)** **APPROVED AS RECOMMENDED**

10. Adopt preferred alternative as new Supervisorial District Boundary Plan; conduct first hearing of proposed ordinance to amend Chapter 2.72 of Title 2 of the Fresno County Ordinance Code to establish new supervisorial district boundaries, and set second hearing for August 28, 2001 (4/5 vote)

**CWAnK A**  
**(ab)** **APPROVED AS RECOMMENDED; WAIVED READING OF ORDINANCE IN ITS ENTIRETY**

11. Receive feasibility study report summary regarding reclamation of the original thirty acres at American Avenue Disposal Site and authorize staff to issue request for proposals for preparation of plans, specifications and engineering cost estimate for reclamation of the unlined thirty acres at the site

**AnCWK A**  
**(ab)** **APPROVED ALTERNATIVE THREE OF AGENDA ITEM ATTACHMENT "A"**

12. Consider and take action on proposed intensification of land use designation on City of Fresno General Plan Amendment Application No. A-01-10 and Rezoning Application No. R-01-13, Roosevelt Community Plan (Board action is advisory only)

**CAnWK A**  
**(ab)** **TOOK NEUTRAL POSITION**

13. Appeal by Ruben Tamamian, applicant, of the Planning Commission's denial of Variance Application No. 3699 proposing to allow creation of two approximately 18.44-acre parcels (40 acres required) from a 36.88-acre parcel in the AE-40 (Exclusive Agriculture, 40-acre minimum parcel size) District located on the east side of Gooseberry Lane east of its intersection with Morgan Canyon Road, approximately two miles southeast of the unincorporated community of Prather (30330 Gooseberry Lane)

**WAnCK A**  
**(ab)**

**UPHELD APPEAL; ADOPTED FINDINGS; APPROVED VARIANCE APPLICATION NO. 3699 WITH CONDITIONS AS RECOMMENDED IN STAFF REPORT AND WITH ADDITIONAL CONDITION THAT A COVENANT BE RECORDED ALLOWING ONE HOUSE TO BE BUILT ON EACH PARCEL**

**3:00 P.M.**

14. Appeal by Nino Ventresca, applicant, of the Planning Commission's denial of Variance Application No. 3701 proposing to allow creation of a 1.76-acre parcel and a 1.22-acre parcel (20 acres minimum required) from a 2.98-acre parcel in the AL-20 (Limited Agriculture) District located on the northeast corner of Minnewawa Avenue and Columbia Drive, adjacent to the City of Fresno (1943 S. Minnewawa)

**WCAAnK A**  
**(ab)**

**DENIED APPEAL; DENIED VARIANCE APPLICATION NO. 3701**

**Supervisor Waterston**

15. Receive oral report from Calaveras Mining Inc. regarding current status of Conditional Use Permit No. 2765

**RECEIVED**

16. **Public Presentations** - (This portion of the meeting reserved for persons desiring to address the Board on any matter not on this agenda - Pursuant to Administrative Policy No. 29, presentations are limited to 5 minutes per person and no more than 15 minutes per topic)

**HELD**

**AnCWK A**  
**(ab)**

**ADJOURNED**

**NEXT MEETINGS:**

August 22, 2001 - 7:30 A.M. - 2001 State of the County Breakfast  
2257 W. Shaw Ave.

August 28, 2001 - 9:00 A.M. - Board Meeting

September 11, 2001 - 9:00 A.M. - Board Meeting

**MORNING CONSENT AGENDA - Item Numbers 17-37**

(Any Board Member may pull any consent item for discussion or separate vote)

**AnCWK A**                    **APPROVED AS RECOMMENDED WITH INCLUSION OF ADDENDUM**  
**(ab)**                        **AND WITH EXCEPTION OF ITEM NOS. 26 AND 37b WHICH WERE**  
                                  **PULLED FOR DISCUSSION, ITEM NO. 27 WHICH WAS PULLED**  
                                  **FOR A SEPARATE VOTE AND ITEM NO. 37g WHICH WAS PULLED**  
                                  **FROM THE AGENDA**

**AnWCK A**                    **APPROVED ITEM NO. 26 AS RECOMMENDED**  
**(ab)**

**AnWK A    C**                **APPROVED ITEM NO. 27 AS RECOMMENDED**  
**(ab)(abst)**

**AnWCK A**                    **APPROVED ITEM NO. 37b AS RECOMMENDED**  
**(ab)**

**Supervisor Koligian**

17.    Adopt resolution honoring Christian David Mooneyham, BSA Troop 35 Eagle Scout

**Auditor-Controller/Treasurer-Tax Collector**

18.    Approve reimbursement of cash shortage in amount of \$100, which occurred at the Family Support Division of the District Attorney's Office
19.    Approve reimbursement of three cash shortages in amounts of \$112.89, \$155.00, and \$158.00, which occurred at the Jail Booking Unit of the Sheriff's Department
20.    Approve and authorize chairman to execute amendment to agreement with Leifer Capital, Inc. to assign independent financial consulting services to Kelling, Northcross & Nobriga

**County Counsel**

21.    Approve and authorize chairman to execute Consent Order between U.S. Environmental Protection Agency and Respondents regarding Clean-up of Patterson Superfund Site

**Sheriff**

22.    Approve and authorize Chairman to execute Federal Annual Certification Report for FY 2000-01 certifying to accounting of funds received and expended by the Sheriff's Department under the federal equitable sharing program

23. Adopt resolution authorizing the Sheriff's Department to submit application and the Project Director of the Sheriff's Department to execute the agreement and any extensions with State Department of Alcoholic Beverage Control for grant funds to address problems associated with alcohol violations (\$99,112); adopt resolution increasing FY 2001-02 Sheriff's Grant Budget in amount of \$15,962 (4/5 vote) and approve Budget Transfer No. 8 in amount of \$2,500 to purchase equipment
24. Adopt resolution increasing FY 2001-02 Sheriff Grants Budget in amount of \$75,000 for additional Senior Systems and Procedures Analyst position (4/5 vote); approve Budget Transfer No. 4 in amount of \$287,866 from Sheriff Adult Detention Facilities Budget 3410 to Sheriff Budget 3110 to fund four automation positions and approve Salary Resolution Amendments deleting five Safety positions from the Sheriff Budgets 3110 and 3410, adding five automation positions to the Sheriff Budget 3110, and adding one automation position to the Sheriff Grants Budget 3112

### **Administrative Office**

25. **Salary Resolution Amendments:** (Copy of amendments attached in Supervisors' Agenda Packet, on file with the Clerk to the Board, and posted on the bulletin board outside the Board Chambers)
26. Adopt Addenda to Memoranda of Understanding for Representation Units 2, 3, 4, 7, 10, 11, 12, 13, 22, 25, 30, 31, 35, 36, 37, 39, 42, and 43 and Unilateral Implementation of Addendum to MOU for Representation Unit 19 regarding Health Premium Contributions; and adopt county Health Premium Contributions for Management and Unrepresented Employees
27. Second hearing of proposed ordinance to amend the Fresno County Ordinance Code by adding Chapter 8.30 to Title 8 regulating the land application of biosolids
28. Approve Conflict of Interest Code Amendments for Housing Authority of Fresno County; I-5 Business Development Corridor, Inc.; North Central Fire District; Golden Plains Unified School District; and Fresno Slough, Liberty and Mercy Springs Water Districts
29. Adopt resolution accepting donated laboratory equipment from State Department of Health Services for Community Health, Public Health Laboratory
30. Adopt resolution increasing FY 1999-00 Fleet Services ISF Operating Plan in amount of \$118,237.56 to reestablish fixed assets budgeted in 1999-00 but not encumbered in 2001-02 (4/5 vote)
31. Adopt resolution approving application for grant funds from the Roberti-Z/Berg-Harris Block Grant Program of the 2000 Park Bond Act, and authorize the Director of Administrative Services to execute all documents necessary for applications, contracts, payments and other documents for the completion of projects



32. Approve and authorize Chairman to execute FY 2001-02 California Healthcare for Indigents Program application for Proposition 99 Tobacco Surtax Funds
33. Amendment to agreement with West Fresno School District and Orange Center School District for K-Six collaborative case management services
34. Approve and authorize Chairman to execute application for submittal to California State Library for scholarship grant funds to assist two Library staff members in pursuit of Masters Degrees in Library Science
35. Adopt resolution increasing FY 2001-02 Adult Services Budget in amount of \$3,825 for property loss replacement funds and approve transfer from the Risk Management Internal Service Fund (4/5 vote)
36. Adopt resolution increasing FY 2001-02 Library Budget in amount of \$900 for property loss replacement funds and approve transfer from the Risk Management Internal Service Fund (4/5 vote)

37. **Agreements - Approve and Authorize Chairman to Execute:**

- a. Amendment to agreement with The Discovery Center for construction of exhibits
- b. Agreement with Ripley Architects for development of the Central Library building expansion program (\$125,000)
- c. Agreements for defense counsel to appear and defend with Reservation of Rights: Leeder Vue, Social Worker II; as named in Fresno County Superior Court Case No.: 01 CE CG 02244 – Dexter Taylor, Sr. and Dorothy Morley v County of Fresno, et al

**Retroactive agreements reasons for which are listed on specific agenda item:**

- d. Amendment to agreement with Electronic Data Systems for Case Data System Maintenance
- e. Agreement with State Department of Health Services for Fresno County to remain the exclusive Targeted Case Management service provider in Fresno County
- f. Agreement and related documents with the State Department of Health Services, Office of AIDS for education and prevention services related to reducing HIV/AIDS (\$4,440,141); authorize Director of Community Health to sign Memoranda of Understanding for each activity funded through this agreement, approve Salary Resolution Amendment to add 1 Communicable Disease Specialist to the Department of Community Health; adopt related resolution increasing FY 2001-02 Department of Community Health's Budget in amount of \$104,793 (4/5 vote)

- g. Amendment to agreement with AT&T Language Lines for the Sheriff Department's Dispatch Center

**ADDENDUM**

Approve and authorize Chairman to execute Settlement Agreement in the matter of SEIU, Local 535 v. County of Fresno, et al., Fresno Superior Court Case No. 646611-4with

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**AFTERNOON CONSENT AGENDA - Item Numbers 38-47**

(Any Board Member may pull any consent item for discussion or separate vote)

**CAnWK A**  
**(ab)****APPROVED AS RECOMMENDED****Administrative Office**

38. Approve Budget Transfer No. 5 in amount of \$7,406 from Waterworks District No. 42, (Alluvial-Fancher Subdivision) Contingency Account 8991 to Maintenance Buildings & Grounds Account 7220 for costs associated with well pump replacement
39. Adopt resolution transferring savings realized in prior year appropriations for American Avenue Disposal Site Enterprise Fund Budget Program No. 85547 (Module 8 Construction) to current year Program No. 84217 (Wells) (4/5 vote)
40. Contract No. 01-05-CD, Community Development Block Grant Funded Project for Lanare Recreational Facility Improvements – Phase IV, Project No. 00858, award to low bidder, B-J Engineering, in amount of \$45,958 (Engineer's Estimate \$39,490)
41. Adopt Resolution authorizing stop signs at intersection of Cornelia and Davis Avenues stopping southbound traffic on Cornelia Avenue
42. Tract 4891, Granite Ridge No. 8 - accept work and reduce Improvement Security posted from \$98,416 to \$26,638 to guarantee maintenance of tract improvements and release monumentation security posted for installation of subdivision monuments
43. Accept easement deed from Khaled Mohsen Albusaisi for right-of-way dedication on Brannon Avenue at Valeria Avenue under Site Plan Review 7012 for development of a mini-mart/service station at 43835 W. Valeria Avenue, Dos Palos
44. Accept easement deed and approve contract with Johanson Transportation Service, a Corporation, for right-of-way acquisition for Chestnut Grade Separation Project and Central Avenue at Golden State Boulevard widening project, (\$300) and make determination that proposed right-of-way acquisition is in conformance with Fresno County General Plan
45. Approve Temporary Construction Permit with Ralph & Anahid Shamshoian Trust and Berg Paraghamian Trust to allow adequate area to install a water pipeline underneath Jensen Avenue at Peach Avenue intersection for Jensen/ Drummond Water Main Project (\$500)
46. Accept grant deed from Fresno Metropolitan Flood Control District for road purposes for Leonard Avenue at Redbank Creek Culvert

47. **Agreements - Approve and Authorize Chairman to Execute:**

- a. Amendment to agreement with Huntington Construction for snow removal services in County Service Area Nos. 31, Zone B and 35, Zone AT
- b. Amendment to agreement with Huntington Construction for snow removal services in County Service Area No. 35 Zone O
- c. Amendment to agreement with BSK Analytical Laboratories for completion of analytical water testing required at water and sewer districts
- d. Agreement with City of Reedley for Study & Civic Center Building Remodeling/Mueller Park Improvements Project No. 01026 (\$305,000)
- e. Agreement with City of Clovis for Helm/Sylmar Alley Reconstruction Project No. 01957, Pedestrian Wheelchair Ramps Project No. 01002, Treasure Ingimire Park Accessibility Improvements Project No. 01003, and DeWitt/Harvard Avenues Alley Reconstruction Project No. 01005 (\$205,000)
- f. Amendment to agreement with TPG Consulting, Inc for subdivision improvement plan checking services (\$40,000 maximum)

**END OF CONSENT**

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